

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DEJON LEE PAYNE,

Plaintiff,

v.

CORRECTIONAL INDUSTRY
KITCHEN, et al.,

Defendants.

Case No. 3:23-CV-5587-TMC-DWC

ORDER GRANTING MOTION
FOR EXTENSION OF TIME

Plaintiff Dejon Lee Payne, proceeding *pro se* and *in forma pauperis*, filed this civil rights action under 42 U.S.C. § 1983. Dkts. 5, 6. On August 30, 2023, the Court screened and declined to serve Plaintiff's complaint due to identified deficiencies. Dkt. 7. The Court directed Plaintiff to file an amended complaint on or before September 29, 2023. *Id.* On September 28, 2023, Plaintiff filed an amended complaint and a motion for extension of time to file an amended complaint. Dkts. 8, 9. Plaintiff states he needs additional time to obtain public records. Dkt. 9.

After considering the relevant record, the Court grants Plaintiff's motion (Dkt. 9) as follows: Plaintiff shall have until **November 6, 2023**, to file a second amended complaint.

1 If Plaintiff fails to file a second amended complaint by November 6, 2023, the Court will
2 treat the amended complaint filed September 28, 2023, as the operative complaint and screen it
3 to determine whether it contains factual allegations linking each defendant to the alleged
4 violations of Plaintiff's rights. The Court will not authorize service of the amended complaint on
5 any defendant who is not specifically linked to a violation of plaintiff's rights.

6 Dated this 6th day of October, 2023.

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9 David W. Christel
Chief United States Magistrate Judge